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## 21JE-CC00280 - EARL RICE V UNITED STATES BUREAU OF ALCOHOL ET AL (E-CASE)

<a href="#">Case File</a>	<a href="#">Parties &amp; Attorneys</a>	<a href="#">Docket Entries</a>	<a href="#">Charges, Judgments &amp; Sentences</a>	<a href="#">Service Information</a>	<a href="#">Filings Due</a>	<a href="#">Scheduled Hearings &amp; Trials</a>	<a href="#">Civil Judgments</a>	<a href="#">Garnishments/Execution</a>
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**Judge/Commissioner Assigned:** MELENBRINK, VICTOR JOSEPH

**Date Filed:** 04/13/2021

**Location:** Jefferson

**Case Type:** CC Other Miscellaneous Actions

**Disposition:** Not Disposed

**Financial Information**

:



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Click here to QuickFile on behalf of the Selected Party.

- ☐ **RICE , EARL G JR , Plaintiff  
Acting Pro Se**  
225 E. 3RD ST  
WATERLOO, IL 62298  
  
Year of Birth: 1958
- ☐ **UNITED STATES BUREAU OF  
ALCOHOL, TOBACCO,  
FIREARMS AND EXPL. ,  
Defendant**
- ☐ **JEFFERSON COUNTY  
PROSECUTING ATTORNEY ,  
Defendant**  
300 MAIN STREET  
HILLSBORO, MO 63050  
**Business:** (636) 797-5321
- ☐ **JEFFERSON COUNTY SHERIFFS  
DEPT , Defendant**  
400 1ST STREET  
HILLSBORO, MO 63050
- ☐ **JEFFERSON COUNTY MISSOURI  
, Defendant**  
729 MAPLE STREET  
HILLSBORO, MO 63050

## ADDITIONAL ATTORNEYS

**COSTELLO , JACOB THOMAS , Assistant  
Prosecuting Attorney**  
PO BOX 100  
300 MAIN STREET  
HILLSBORO, MO 63050



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21JE-CC00280 - EARL RICE V UNITED STATES BUREAU OF ALCOHOL ET  
AL (E-CASE)

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05/20/2021 ☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-597, for UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL..

05/19/2021 ☐ [Correspondence Filed](#)

CORRESPONDENCE TO CLERK'S OFFICE UPDATING ADDRESS FOR BATFE

**Filed By:** EARL G RICE JR

☐ [Motion for Apptmnt of Counsel](#)

SENT TO JUDGE FOR REVIEW. FILE STAMPED COPY MAILED BACK TO PLAINTIFF

**Filed By:** EARL G RICE JR

05/17/2021 ☐ [Response Filed](#)

PLEASE FILE A SUBSTITUTION OF COUNSEL REQUEST SO THAT THE STATE OF MISSOURI IS NOT UNREPRESENTED IN THIS MATTER. JUDGE DIV.5

05/05/2021 ☐ [Motion of Withdraw of Counsel](#)

Motion to Withdraw. SENT TO JUDGE FOR SIGNATURE

**Filed By:** JACOB THOMAS COSTELLO

04/29/2021 ☐ [Entry of Appearance Filed](#)

Filing Memo Assigning APA Costello; Electronic Filing Certificate of Service.

**Filed By:** JACOB THOMAS COSTELLO

04/27/2021 ☐ [Family Member/Roommate Served](#)

Document ID - 21-SMCC-481; Served To - JEFFERSON COUNTY MISSOURI; Server - ; Served Date - 22-APR-21; Served Time - 17:30:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - SERVED TO PAIGE LAIBEN

☐ [Family Member/Roommate Served](#)

Document ID - 21-SMCC-479; Served To - JEFFERSON COUNTY SHERIFFS DEPT; Server - ; Served Date - 22-APR-21; Served Time - 17:30:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - SERVED TO PAIGE LAIBEN

☐ [Family Member/Roommate Served](#)

Document ID - 21-SMCC-480; Served To - JEFFERSON COUNTY PROSECUTING ATTORNEY; Server - ; Served Date - 22-APR-21; Served Time - 17:20:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - SERVED TO LINDSEY WHALEN

04/21/2021 ☐ [Judge/Clerk - Note](#)

SUMMONS SENT TO JCSD FOR SERVICE; SUMMONS NOT ISSUED FOR US BUREAU OF

ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES DUE TO NOT HAVING AN ADDRESS FOR SERVICE

☐ [Notice](#)

ORDER FOR INFORMA PAUPERIS MAILED TO PLAINTIFF

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-481, for JEFFERSON COUNTY MISSOURI.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-480, for JEFFERSON COUNTY PROSECUTING ATTORNEY.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-479, for JEFFERSON COUNTY SHERIFFS DEPT.

☐ [Ord Allow In Forma Pauperis](#)

SO ORDERED: BRENDA STACEY, CIRCUIT JUDGE DIV. FOUR, PRESIDING JUDGE

04/19/2021 ☐ [Filing:](#)

ENVELOPES

**Filed By:** EARL G RICE JR

☐ [Correspondence Filed](#)

LETTERS TO CLERKS REGARDING FILINGS

**Filed By:** EARL G RICE JR

04/15/2021 ☐ [Petition Filed - No Fees](#)

PETITION FOR RELIEF OF VIOLATIONS OF CIVIL RIGHTS, INJURY TO PERSON AND LOSS BY THEFT AND DAMAGE TO PROPERTY, BOTH PERSONAL AND REAL

04/13/2021 ☐ [Mot to Proc In Forma Pauperis](#)

SENT TO PJ FOR APPROVAL

**Filed By:** EARL G RICE JR

☐ [Judge Assigned](#)



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Further information may be available in the docket entries portion of Case.net. Because service of process may establish legal obligations, you may want to examine the original case file in the clerk's office.

Displaying 1 thru 2 of 3 service records returned for case 21JE-CC00280.

1 [2](#) [>>](#)

## Issuance

**Issued To:** JEFFERSON COUNTY  
PROSECUTING ATTORNEY

**Date Issued:** 04/21/2021

**Document Issued:** Summons Civil Case-To Dft-  
Res

**Due Date:** 05/21/2021

**Document ID:** 21-SMCC-480

## Return

**Type Of Service:** Family Member/Roommate  
Served

**Service/Attempt Date:** 04/22/2021

**Served To:** JEFFERSON COUNTY  
PROSECUTING ATTORNEY

**Service Text:** SERVED TO LINDSEY WHALEN

## Issuance

**Issued To:** JEFFERSON COUNTY  
SHERIFFS DEPT

**Date Issued:** 04/21/2021

**Document Issued:** Summons Civil Case-To Dft-  
Res

**Due Date:** 05/21/2021

**Document ID:** 21-SMCC-479

## Return

**Type Of Service:** Family Member/Roommate  
Served

**Service/Attempt Date:** 04/22/2021

**Served To:** JEFFERSON COUNTY  
SHERIFFS DEPT

**Service Text:** SERVED TO PAIGE LAIBEN

Displaying 1 thru 2 of 3 service records returned for case 21JE-CC00280.

1 [2](#) [>>](#)



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21JE-CC00280 - EARL RICE V UNITED STATES BUREAU OF ALCOHOL ET  
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Further information may be available in the docket entries portion of Case.net. Because service of process may establish legal obligations, you may want to examine the original case file in the clerk's office.

Displaying 3 thru 3 of 3 service records returned for case 21JE-CC00280.

[<<](#) [1](#) [2](#)

## Issuance

**Issued To:** JEFFERSON COUNTY  
MISSOURI

**Date Issued:** 04/21/2021

**Document Issued:** Summons Civil Case-To Dft-  
Res

**Due Date:** 05/21/2021

**Document ID:** [21-SMCC-481](#)

## Return

**Type Of Service:** Family Member/Roommate  
Served

**Service/Attempt Date:** 04/22/2021

**Served To:** JEFFERSON COUNTY  
MISSOURI  
729 MAPLE STREET  
HILLSBORO , MO 63050

**Service Text:** SERVED TO PAIGE LAIBEN

Displaying 3 thru 3 of 3 service records returned for case 21JE-CC00280.

[<<](#) [1](#) [2](#)

IN THE CIRCUIT COURT OF THE TWENTY THIRD  
JUDICIAL CIRCUIT OF MISSOURI AT HILLSBORO,  
JEFFERSON COUNTY, MISSOURI

Earl G. Rice, Plaintiff  
vs.

FILED

APR 15 2021

MICHAEL E. REUTER  
CIRCUIT CLERK

The United States, and,  
yet unknown Agents of the Department  
of Justice, and,  
The Bureau of Alcohol, Tobacco, Fire-  
arms, and Explosives, and,  
BATFE Special Agent Michael McGrath,  
et al., and,

The State of Missouri, and,  
yet unknown Agents of Missouri, and,  
the 23<sup>rd</sup> Circuit's Prosecutors Office, and,  
Prosecutor Forrest Wegge, and,  
Assistant Prosecutor Trisha Stefanski, and,  
Division VI Judge Troy Cardona, et al., and,

Cause No. 2021-CV-00280

Div. No. 5

Judge Melvinbrink

Jefferson County, Missouri, and,  
yet unknown Agents of Jefferson County, and,  
Jefferson County Sheriff's Office, and,  
Sheriff David L. Marshak, and,  
yet unknown Jefferson County Sheriff's  
Deputies and Employees, and,  
Deputy Gerry Williams 179, and,  
Deputy Matt Rhees 714, and,  
Deputy Green 316, and,  
Deputy Valentine 514, and,  
Jefferson County Jail, and,  
yet unknown Employees of  
Jefferson County Jail, and,  
Deputy in charge of Operations and  
administration William McDaniel, and,

Employee Guard Fields, and, )  
Employee Clerk Brenda Short, et al. )

PETITION FOR RELIEF OF VIOLATIONS OF CIVIL  
RIGHTS, INJURY TO PERSON AND LOSS BY THEFT AND  
DAMAGE TO PROPERTY, BOTH PERSONAL AND REAL

Comes now Plaintiff Earl G. Rice (PER), and for his  
Petition for Relief from his Complaint of ongoing Rights  
Violations, his Continued injury, and still accruing  
Damages to his Personal and Real Property does state  
the following:

That for this cause the 23<sup>rd</sup> Judicial Circuit Court of  
Missouri is the proper Court of Record described in RSMo  
506.110-2, and that this Court has Territorial Jurisdiction,  
and under RSMo 506.290, has Venue, in that the Violations  
of PERs Civil Rights he complains of did begin in this  
23<sup>rd</sup> Circuit Court at Hillsboro, in Jefferson County, and  
the continued injury to his person, accruing loss, and  
ongoing damage to his personal and real property by  
execution of a warrant for his arrest, that while facially  
valid, was under Color of Law, by and through agents  
and employees of Jefferson County, which did occur  
at PERs residence in Jefferson County Missouri.

And at the number of defendant entities, their defendant  
agents and employees, and the conspiratorial nature of this  
cause, and or causes as described in RSMo 506.110-1(1), that  
this Petition and Complaint may, under RSMo 509.070, be  
two claims joined, or, possible multiple severable  
causes, that, requiring due diligence in discovery and  
amendment to PERs Petition and Complaint.



The conduct PER is complaining of is supported by documentation in case files regarding all cited cause numbers in the 23<sup>rd</sup> Circuit, and begins with PER's arrest June 14, 2017, and arraignment in front of Timothy Miller, Div. 14, against APA Thomas Hollingsworth, wherein PER did post bond and enter pro se (see: memo of entry filed Oct. 30, 2017) in cause no. 17JE-CR01744(17JE).

This new cause 17JE did occur shortly after PER settled cause no. 12JE-CR02599 (12JE), in front of Mark Stoll, Div. 4, against Steven Serrell, with 5 years Bench Probation, and while PER was currently on bond and scheduled for trial for cause no. 13JE-CR00094(13JE) in front of Troy Cardona, Div 6, against APA Jacob Costello, when PER was arrested Feb. 14, 2018, in Belleville Illinois and (falsely) charged in cause no. 18-CF0233, since Nolle Prosequi'd.

All three 23<sup>rd</sup> Circuit APA's were aware of this charge in Illinois, and in conversations with each, PER was assured there would be no revocations as long as all PER's appearances were made and, on March 9, 2018, Mr. Hollingsworth files an amended complaint and, after hearing, 17JE moves to Div 6. March 13, 2018, PER receives 5 years Bench Probation for 13JE.

It should be noted that, both Div 4 and 6 Bench Probation's were Court, not State supervised, with no State contract signed and neither Court forbidding him the possession of his legally owned firearms. It should also be noted these firearms were known to be in PER's possession as they had been Court Ordered to be returned (see: Motion to Return Seized Property filed March 24, 2010,

and Mark Stoll's Memo and Order to return same, filed July 9, 2010, cause no. 08JE-CR00066) from MSHP Troop C, and pre-dates the August 2014 Amendment to Missouri's Constitution Article I, sec. 23, of which PER is neither "convicted violent felon" nor "adjudicated a danger to self or others as a result of mental disorder or infirmity".

At this March 13, 2018, sentencing for 13JE, Mr. Costello, now APA for 17JE, reaffirms he will take no action to revoke bond on 17JE or probation on 13JE if all appearances are made, reminds PER of the upcoming hearing of April 30, 2018, and that he has all PER's contact information including PER's cell number logged in his phone from previously on 13JE and PER will continue prose for 17JE.

It was, during this timeline, just prior to disposing 13JE that Agents of the United States Department of Justice, and namely BATFE, contacted the 23<sup>rd</sup> Circuit prosecutors office and conspired to bring federal firearms charges against PER, and how best to gain access to his home at 8456 Dittmer-Catawissa Road in Dittmer, within Jefferson County, and how to overcome BATFE's problem with its lack of jurisdiction on privately owned land not under federal control.

For whatever had been decided between Forrest Wegge and Trisha Stefanski, under pressure from the Agents of the D.O.J., Ms Stefanski chose not to use either Bench probation, chose to ignore she has seen PER many times enter prose, and chose not to check the

record for 17JE. Without consulting APA Costello, files Motion to Revoke Bond in 17JE on April 2, 2018.

And for reason(s) yet unknown to PER, and due to Agents and Employees of the United States and its Agencies of the D.O.S., who did forgo the D.O.S.'s long standing policy of the Rule of Comity and Doctrine of Abstention, did interfere with Sovereign State of Mo. criminal matters, ultimately violating PER's Right to be heard in a Court of Original Jurisdiction (see: Mo. Const. Article 5, sec 14(a), U.S. Const. 10<sup>th</sup> and 14<sup>th</sup> Amendments, and Federal cause no. 4:18-cr-0571)

That through this interference APA Stefanski did, whether by mistake or intention, chose not to certify delivery of this change of process (see: Motion to Revoke Bond submitted by APA Stefanski April 2, 2018, in 17JE) nor did she notify PER by delivery of a copy of her "Motion" by any of, due to 17JE, the retained current contact information of PER's USPS address, Email address, or his cell phone number, of which the Div. 6 clerk had, Judge Troy Cardona was aware of, and APA Costello likewise had, which action did violate PER's, as pro se attorney of record for the defense, Right to Due Process (see: Mo. Const. Article 1, sec 10, and U.S. Const. 5<sup>th</sup> and 14<sup>th</sup> Amendments)

This conduct of the aforementioned defendants set in motion a whole series of further ongoing Rights Violations, continued injury, and damages still accruing to PER in that, and without the use of regular Jefferson County Sheriff's patrolmen to execute this "arrest only" warrant, Agents and

Employees of the 23<sup>rd</sup> Circuit Prosecutors Office and U.S. D.O.S., namely BATFE, did conspire with Agents and Employees of the Jefferson County Sheriff's Office to use, in executing this arrest only warrant, the former "Jefferson County Drug Task Force" which, due to bad Police work resulting in lawsuits, did change their name to "Metropolitan Enforcement Group", of which some 10 Agents, in S.W.A.T. formation, were used to execute an arrest warrant over Driving While Intoxicated, a traffic ticket.

They did arrive at PER's place of residence, 221.22 or 10:22pm on April 11, 2018, and with BATFE Special Agent McGrath, on "standby" and arriving shortly thereafter, did pull PER from the door of his residence and, at gunpoint, by fear and under threat of death, forced him to leave this door open, then immediately, in Lieu Of Search Warrant at 10:23pm, did proceed to begin the 3hour continuous search of PER's residence, as witnessed by PER, for approximately the first hour, or until his eventual transportation to Jefferson County Jail.

Irregardless of any possible oral testimony by defendant Sheriff's deputies, evidence can prove the circumstances and time line as stated in reports corresponding to this incident

described in reports (see: Jefferson County Sheriffs Office Report no. 18-11530, their supplement report #1, and BATFE report no. 779050-18-0065) are untrue, and that this search and seizure, while executing a "traffic" warrant for arrest only, being under Color of Law did appear facially valid, it, nor PER authorized the continuous search begun at 10:23pm on April 11, 2018, and completed no later than 1:27am on April 12, 2018, which was assisted by Special Agent McGrath of BATFE, again, completed before signing of Application for Search (see: Affidavit and Application for Search Warrant signed by Div. 2 Judge D. Missey on 1:29am April 12, 2018) warrant at 1:29am the following day of April 12, 2018.

That this conduct at PERs residence by both defendant Sheriffs deputies and S.A. McGrath, which none of whom had authorization for entrance, much less a valid warrant for this "unreasonable search and seizure" of PERs Real and Personal Property, by execution of an arrest only traffic warrant (see: Warrant for Arrest no. W41549297, signed by defendant Judge Cardona and corresponding "traffic" citations no.(s) 16 0052125, 26, and 27) was in direct violation of PERs right to his Lawfully returned and Legally possessed Firearms (see: Mo. Const. Art. 1, sec. 23, and U.S. Const. 2<sup>nd</sup> Amd.), and his right "to be secure in his person, house, papers, and effects" (see: Mo. Const. Art. 1, sec. 15 and U.S. Const. 4<sup>th</sup> Amd.)

Again, after watching this illegal entry and the beginning of, at 10:23pm, the unlawful search, which

did continue un-abated for approximately 1 hour before PER was transported to Jefferson County Jail where, before describing the many violations to his rights and injuries caused there, PER does again state that the above mentioned "trafficking warrant" signed on April 3, 2018, by defendant Judge Cardona was, as a result of pressure from, and on behalf of the U.S., to hold PER, initially for the first 4 months in incarceration at said jail, and did maintain this warrant, detaining PER by refusing to set, excessive or otherwise, bail (see: Mo. Const. Art. I, sec 20, and U.S. Const. 5<sup>th</sup> Amd.) for the express purpose of holding PER until the U.S. could charge him for his Lawfully returned firearms the Courts of the 23<sup>rd</sup> Circuit would not charge him for possession of, and this warrant detaining PER, was used as an excuse for and by the U.S. to detain him, until Mark Stoll's Lovely replacement in Div. 4, the Right Honorable Brenda Stacey, did step in to Nolle Prosequi the 17JE cause, and Terminate, with all conditions, e.g., Suspended Imposition of Sentence, remaining in place for the 12JE and 13JE Bench Probations, as per her and PER's conversation on July 8, 2019, when said probations were terminated, that she would handle all 3 cases to reduce the chance of contact between PER as a witness against defendant Judge Cardona.

And to the conditions at Jefferson County Jail, its Agents and Employees actions and conduct from April 11, 2018, on towards PER as, under the Rules of Social Security Disability, a 100% disabled person, in that as



PER was previously incarcerated in that facility, that many of the same individuals still at said jail, including its medical services staff and, in particular Sheriff's deputy in charge of operations William McDaniel were aware, and were again made aware of PER's disability by his filling out of Medical Records Release, requests, grievances, appeals of those denied requests to even classify PER as disabled, much less provide proper medical care, dispense his medications as prescribed (see: Motion to Modify Terms of Incarceration, Ordered by Div. 4 Mark Stoll on Jan 13, 2012, in cause no. 07JE-CR01485), which did violate PER's right against "cruel and unusual punishment" (see: Mo. Const. Art. I, sec. 21, and U.S. Const. 8<sup>th</sup> Amd.), or to provide requested handicap amenities.

And that said jail, its Agents and Employees, did refuse to acknowledge PER was pro se in 17JE, did refuse his requests for indigent supplies, e.g., paper and pen, for him to write and send in the "in house mail system" his Motions, requests of Clerk, or any other filing(s), did refuse his repeated requests for adequate Law Library, as evidenced by the aforementioned "requests, grievance, and appeals", which action(s) did violate PER's right to access to the Courts (see: Mo. Const. Art. I, sec. 14, and U.S. Const. 1<sup>st</sup> Amd.), which did cause PER further delay in access to the Courts and increased his financial loss in that, this conduct by said jail necessitated PER to hire counsel to motion before the courts.

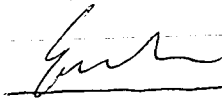
And that these actions by the above named, and yet to be named defendants, who have caused to

9.

PER ongoing violations of his rights, continued injury to his person, and still accruing monetary damages, that relief from his rights violations will be made possible by a finding of "arrest warrant" under Color of Law was void, and relief from PER's monetary damages, in that under RSMo 509.050 - 1 (2) PER does state for his claim for relief of said damage of approximately some \$750,000.00 which, if his real property is foreclosed upon for nonpayment of taxation, that sum, though uncertain until full discovery, will approach some \$850,000.00; PER does request of the Court an Order for fair and equitable restitution of his still accruing losses, and also for punitive damages, to be determined by individual, befitting the severity of their actions committed against PER, who does reserve the right to amend these pleadings accordingly.

Wherefore PER does pray this Honorable Court hear his cause or causes for civil action and enter an Order on this or these actions for Relief from his above described Rights violations, restitution and interest due his damage from loss, and fair punitive damages against the above named and yet to be named defendants.

Respectfully Submitted this April 10, 2021 by:

  
 Earl G. Rice, Plaintiff  
 Monroe Co. Jail  
 225 E. 3rd Street  
 Waterloo, IL 62298

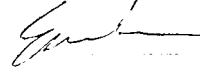


April 10, 2021

To Michael Reuter, Clerk of Court,

Due to the need to recopy this first part of "Petition for Relief" and page limitations per stamped envelope, this portion of the "Petition", which is what the previously sent second part, or "attachment" of "Consolidated Application" is to be attached to, was put in the Monroe County, Illinois jail mail system on April 10, 2021. Please look for the final portion of my "Petition for Relief" and assemble the three mailings, in order, and when a cause number and judge are assigned, please send a copy to myself at the address below.

Thank you,



EARL G. RICE, Plaintiff

Earl G. Rice

Monroe County jail

225 E. 3rd Street

Waterloo, IL 62298

21-cv-000280  
↓ J. HONEA, SEE BELOW ↓

Earl G. Rice  
Monroe Co. Jail  
225 E. 3<sup>rd</sup> Street  
Waterloo, IL 62298

FILED

APR 19 2021

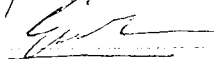
MICHAEL E. REUTER  
CIRCUIT CLERK

Michael E. Reuter, Clerk of Court

This original copy of my "Consolidated Application, Motion, and Request" is actually the second document and supposed to be attached to my "Petition for Relief" to initiate a civil actions in the 23<sup>rd</sup> Circuit courts.

I found a mistake in the first document which needed to be re-copied. I've put this attachment in the Monroe County IL jails mail system the 9<sup>th</sup> of April, 2021, and it may reach you a day before the "Petition" which will go in the jails mail system the 10<sup>th</sup>. Please date stamp and file these originals, make copies, and when a cause number and judge are assigned, please send a copy to my return address above.

Thank you,



Earl G. Rice, Plaintiff

April 16, 2021

Dear J. Honea,

I've returned this "second document", WITH your "Motion and Affidavit" form filled out and enclosed, as I feel this was mistakenly sent back to me, instead of being held until all the documents in my 3 mailings could be assembled in the order of:

1. → 2<sup>nd</sup> and 3<sup>rd</sup> mailings put together as "Petition for Relief";
2. → 1<sup>st</sup> mailing of "Consolidated App./Motion/Request" attached.

Please re-read the above request, paying particular ~~to~~ attention to the now underlined words.

Thank you,



Earl G. Rice, Plaintiff

FILED April 10, 2021  
APR 19 2021

Michael Reuter, Clerk of Court,

Attn: Ms Vickie Skaggs,

MICHAEL E. REUTER  
CIRCUIT CLERK

Dear Ms. Skaggs,

I hope this letter finds you well, and as in a previous records request date stamped Oct, 7, 2019, I complained of mail tampering which was at the request of employees of the U.S. marshals service while I was at the St. Gen jail, of whom I am still under detention by at this jail.

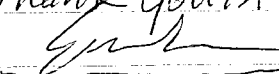
Ms Skaggs, for that same reason, and like you did before with that last request, please include copies of the envelopes fronts these new filings were sent in.

To these new filings, this third mailing, which was placed in this jails mail system April 11, 2021, is the second portion of the initial filing of my "Petition for Relief".

Please assemble the two portions so they are paginated correctly; attach my "Consolidated Application" I sent first due to a copying error, please make copies, file the originals, and when a case number and judge are assigned, send a copy of this filing to myself at the address below.

And to the other forms I will need (considering the number of named and possible future defendants), please send 30 Subpoena forms to begin with. Also, if there are any forms available to indigent individuals in my situation (as we have no access to a law library, internet, or any way to research whats available from your office) please include 1 copy each of Civil Complaint/Waiver of Costs/Waiver of electronic filing, etc., and instructions for each, for any future filings with your return mailing.

Last, for this request, as indigent I ask you waive all costs associated with this request. Thank You in advance,  
Earl G. Rice, Monroe Co. jail  
225 E. 3rd Street  
Waterloo, IL 62298

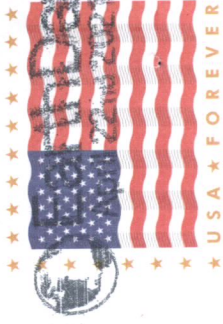
  
Earl G. Rice, Plaintiff

Earl Rice  
Monroe Co. Jail  
225 E. 3rd Street  
Waterloo, IL 62298

Privileged

SAINT LOUIS MO 630

16 APR 2021 PM 2 L



Michael E. Reuter  
Clerk of Court  
P.O. Box 100  
Hillsboro, Mo. 63050

Confidential

63050-010000

Legal Mail  
16 APR 2021



Earl Rice  
Monroe Co. Jail  
225 E. 3rd St.  
Waterloo, IL 62298

Confidential

SAINT LOUIS MO 630

17 APR 2021 PM 5 L



ATTN: J. Honea

Michael E. Ruster  
23rd Circuit Clerk of Court

P.O. Box 100

Hillsboro, Mo. 63050

Legal Mail  
04163021

Privileged

63050-010000







IN THE 23<sup>rd</sup> JUDICIAL CIRCUIT COURT, Jefferson County, MISSOURI  
21K-CC 00280

Judge or Division: <u>To Be Assigned</u>	Case Number: <u>To Be Assigned</u>
Petitioner: <u>Earl G. Rice</u>	Petitioner's Address/Telephone: <u>Monroe Co. Jail</u> <u>225 E. 3rd St.</u> <u>Waterloo, IL 62298</u>
Respondent: <u>Jefferson Co., Missouri</u> <u>Sheriff David L. Marshak,</u> <u>et al.</u>	Respondent's Address/Telephone: <u>Jefferson Co., And</u> <u>400 1st St.</u> <u>Hillsboro, MO 63050</u>

**FILED**  
 APR 13 2021

MICHAEL E. REUTER  
 CIRCUIT CLERK

(Date File Stamp)

### Motion and Affidavit in Support of Request to Proceed As a Poor Person

Marital Status: <u>Divorced</u>	If Married, Spouse's name:	Number of dependents: <u>0</u>
(Include Spouse's Income and Expenses if Married)		
<b>Monthly Income</b> Gross salary (before deductions) \$ <u>0</u> Public assistance \$ <u>0</u> Retirement/Pension \$ <u>0</u> Social Security \$ <u>0</u> Child Support \$ <u>0</u> Maintenance \$ <u>0</u> Other income to be considered \$ <u>0</u> <b>Total Monthly Income</b> \$ <u>0</u>		<b>Monthly Expenses</b> <input type="checkbox"/> Mortgage <input type="checkbox"/> Rent Payment \$ <u>0</u> Utilities \$ <u>0</u> Food \$ <u>0</u> Payment on debts & credit cards \$ <u>0</u> Child Support \$ <u>0</u> Maintenance \$ <u>0</u> Medical expenses to be considered \$ <u>0</u> <b>Total Monthly Expenses</b> \$ <u>0</u>
<b>Assets</b> Cash on Hand \$ <u>0</u> Bank Accounts: Checking \$ <u>0</u> Savings \$ <u>0</u> Approximate value of home \$ <u>Foreclosure</u> And/or other real estate \$ <u>0</u> Approximate value of automobile(s) \$ <u>stolen</u> (1) yr/make _____ (2) yr/make _____ Approximate value of personal Possessions (list) _____ \$ <u>0</u> _____ \$ _____ _____ \$ _____ <b>Total Assets</b> \$ <u>0</u>		<b>Debts</b> Home loan balance \$ <u>0</u> Automobile loan(s) \$ <u>0</u> Credit card balance(s) \$ <u>-1,350.00</u> Other debts to be considered <u>3yrs interest on</u> <u>outstanding credit</u> <u>card debt and</u> <u>see debt on</u> <u>"Resident Transaction"</u> \$ <u>-260.03</u> <b>Total Debts</b> \$ <u>1,610.03 +</u>
I swear/affirm under penalty of perjury that these facts are true to my best knowledge and belief. <u>Original posting Date of</u> <u>April 9/10, 2021</u> Date		SO ORDERED  Apr 21, 2021, 1:53 pm CIRCUIT JUDGE DIVISION FOUR
Your Signature		

# Resident Transaction Details

Transactions From 1/16/2020 12:00 AM to 3/19/2021 11:59 PM

6175301 : Rice, Earl G

Main Balance:	\$0.00
INDIGENT SUPPLIES Debt:	\$170.03
Medical Debt:	\$90.00

Receipt	Date	Type	Bill Amount	Bill Collect	Bill Comment	Adjust	Release Balance
107760	3/16/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 3/16/2021 REF:428		-\$260.03
106948	3/9/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 3/9/2021 REF:425		-\$256.56
106134	3/2/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 3/2/2021 REF:422		-\$253.09
105265	2/23/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 2/23/2021 REF:419		-\$249.62
104383	2/16/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 2/16/2021 REF:416		-\$246.15
103546	2/9/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 2/9/2021 REF:413		-\$242.68
102848	2/2/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 2/2/2021 REF:410		-\$239.21
102235	1/26/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 1/26/2021 REF:407		-\$235.74
101537	1/19/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 1/19/2021 REF:401		-\$232.27

Printed 3/19/2021

Confidential Property of Monroe County Jail

Page 1 of 5



6175301 : Rice, Earl G

Main Balance:	\$0.00
INDIGENT SUPPLIES Debt:	\$170.03
Medical Debt:	\$90.00

Receipt	Date	Type	Bill Amount	Bill Collect	Bill Comment	Adjust	Release Balance
100773	1/12/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 1/12/2021 REF:397		-\$228.80
100118	1/5/2021	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 1/5/2021 REF:394		-\$225.33
99120	12/28/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 12/28/2020 REF:390		-\$221.86
97758	12/15/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 12/15/2020 REF:385		-\$218.39
97165	12/8/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 12/8/2020 REF:382		-\$214.92
96602	12/1/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 12/1/2020 REF:379		-\$211.45
96259	11/24/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 11/24/2020 REF:376		-\$207.98
95843	11/17/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 11/17/2020 REF:373		-\$204.51
95361	11/10/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 11/10/2020 REF:370		-\$201.04
94744	11/3/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 11/3/2020 REF:367		-\$197.57
94085	10/26/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 10/26/2020 REF:363		-\$194.10
93550	10/20/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 10/20/2020 REF:361		-\$190.63

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Confidential Property of Monroe County Jail

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## 6175301 : Rice, Earl G

Main Balance:	\$0.00
INDIGENT SUPPLIES Debt:	\$170.03
Medical Debt:	\$90.00

Receipt	Date	Type	Bill Amount	Bill Collect	Comment	Adjust	Release Balance
92906	10/13/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 10/13/2020 REF:358		-\$187.16
90685	10/6/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 10/6/2020 REF:355		-\$183.69
89945	9/29/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 9/29/2020 REF:352		-\$180.22
89252	9/22/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : Indigent Kit		-\$176.75
88621	9/15/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 9/15/2020 REF:347		-\$173.28
87917	9/8/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 9/8/2020 REF:344		-\$169.81
87187	9/1/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 9/1/2020 REF:341		-\$166.34
86503	8/25/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 8/25/2020 REF:337		-\$162.87
85800	8/18/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 8/18/2020 REF:334		-\$159.40
85047	8/11/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 8/11/2020 REF:331		-\$155.93
84408	8/4/2020	Bill	\$45.00	\$0.00	Medical : ORAL SURGEON 7/29/20. J1		-\$152.46
84296	8/3/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 8/3/2020 REF:323		-\$107.46
82675	7/28/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES		-\$103.99

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Confidential Property of Monroe County Jail

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## 6175301 : Rice, Earl G

Main Balance:	\$0.00
INDIGENT SUPPLIES Debt:	\$170.03
Medical Debt:	\$90.00

Receipt	Date	Type	Bill Amount	Bill Collect	Comment	Adjust	Release Balance
82661	7/27/2020	Bill	\$3.47	\$0.00	7/28/2020 REF:319 INDIGENT SUPPLIES : Indigent Kit		-\$100.52
82014	7/21/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 7/21/2020 REF:316		-\$97.05
81253	7/13/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 7/13/2020 REF:310		-\$93.58
80696	7/6/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 7/6/2020 REF:305		-\$90.11
80090	6/29/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : Indigent Kit		-\$86.64
78667	6/23/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 6/23/2020 REF:301		-\$83.17
77751	6/9/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 6/9/2020 REF:296		-\$79.70
77210	6/2/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : Indigent Kit		-\$76.23
76734	5/26/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 5/26/2020 REF:292		-\$72.76
75766	5/11/2020	BillPay			PAYMENT FOR TRANS 75350 TO INDIGENT SUPPLIES : INDIGENT SUPPLIES 5/5/2020 REF:280 : PAID IN FULL	-\$3.47	-\$69.29
75765	5/11/2020	CredPay			PAYMENT FOR TRANS 75764	\$3.47	-\$69.29
75764	5/11/2020	Credit	\$3.47	\$3.47	INDIGENT SUPPLIES : INDIGENT SUPPLIES CREDIT 5/11/2020 REF:283		-\$72.76
75350	5/5/2020	Bill	\$3.47	\$3.47	INDIGENT SUPPLIES : INDIGENT SUPPLIES		-\$72.76

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Confidential Property of Monroe County Jail

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## 6175301 : Rice, Earl G

Main Balance:	\$0.00
INDIGENT SUPPLIES Debt:	\$170.03
Medical Debt:	\$90.00

Receipt	Date	Type	Bill Amount	Bill Collect	Comment	Adjust	Release Balance
73444	4/28/2020	Bill	\$3.47	\$0.00	5/5/2020 REF:280 INDIGENT SUPPLIES : INDIGENT SUPPLIES		-\$69.29
72743	4/18/2020	Bill	\$15.00	\$0.00	4/28/2020 REF:277 Medical : Nurse Visit		-\$65.82
71484	4/13/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 4/13/2020 REF:264		-\$50.82
70665	3/31/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 3/31/2020 REF:259		-\$47.35
68262	3/17/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 3/17/2020 REF:253		-\$43.88
64927	3/3/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 3/3/2020 REF:248		-\$40.41
63354	2/17/2020	Bill	\$15.00	\$0.00	Medical : sick call with doctor 02/17/2020, J1		-\$36.94
62900	2/11/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 2/11/2020 REF:241		-\$21.94
62855	2/10/2020	Bill	\$15.00	\$0.00	Medical : sick call on 02/06/2020, J1		-\$18.47
62854	2/10/2020	BillVoid	\$20.00	\$0.00	VOID TRANS 62853 : should not have added medication to bill		-\$3.47
62853	2/10/2020	Bill	\$20.00	\$0.00	Medical : sick call plus medication order on 02/06/2020, J1		-\$23.47
61990	1/28/2020	Bill	\$3.47	\$0.00	INDIGENT SUPPLIES : INDIGENT SUPPLIES 1/28/2020 REF:236		-\$3.47
61274	1/16/2020	Open			OPENING ACCOUNT	\$0.00	\$0.00

Printed 3/19/2021

Confidential Property of Monroe County Jail

Page 5 of 5

IN THE CIRCUIT COURT OF THE TWENTY THIRD JUDICIAL CIRCUIT  
OF MISSOURI AT HILLSBORO, JEFFERSON COUNTY, MISSOURI

FILED  
APR 13 2021

Earl G. Rice, Plaintiff

VS.

Jefferson County, Missouri,

Sheriff David L. Marshak,

et. al.,

Defendants

MICHAEL E. REUTER  
CIRCUIT CLERK

Cause No. and Judge to be assigned

CONSOLIDATED APPLICATION FOR WAIVER OF COURT  
COSTS, MOTION FOR ORDER OF WAIVER OF COURT  
COSTS, AND REQUEST OF THE COURT TO  
ASSIGN COUNSEL TO PLAINTIFF AS PAUPER

Comes now Plaintiff Earl G. Rice (PER), and for his  
Consolidated Application, Motion, and Request (Consol-  
idation) states as follows:

For his application to waive court costs pertaining to  
PER's Complaint and Civil action, what is described in  
RSMo 488.000 as "All costs payable before services  
rendered... or when costs are waived as provided by  
law", in that while PER is not under sentence for any  
crime, he has since April 11, 2018, been continuously  
and still currently imprisoned under Color of Law (see  
Missouri 8<sup>th</sup> Circuit District Court cause no. 4:18-cr-  
00571) for the alleged conduct of the defendants PER  
has named, and others he will name, in his Complaint,  
and he does, under RSMo 506.366, submit a request to  
this Court to proceed without the prepayment of court  
costs and waiver thereof (see attached inmate account  
"Resident Transaction Details").

PER does state for the record, as a result of the  
actions taken against him the night of April, 11, 2018,  
he has lost everything tangible of value, has no income,  
has been indigent for the past 36 months, and due

to non-payment of real estate taxes this past 3 years, assumes his property and home at the address 8456 Dittmer-Catawissa Road, Dittmer, Mo. will be foreclosed upon.

For this reason PER prays this Honorable Court grant his Application for Waiver of Court costs.

For PERs Motion for Order of Waiver of Court Costs, to include costs or charges of: filing, service of process, publication, mediation, and the Courts appointment of counsel, that as to the allegations contained in PERs Petition for Civil Action and redress of his ongoing injury and accruing damages, combined with the reason(s) and documentation provided above, PER does pray, that with the grant of Waiver, this Honorable Court enter an Order for the Waiver of Court Costs outlined above.

And for PERs Request of the Court, as under RSMo 514.040, that if the Court understands, the terrible circumstances he is currently experiencing, and the Court be satisfied he is now a poor person, imprisoned with no legal resources and cannot, with the nature of his Civil Action Petitioned for, adequately argue this cause himself, therefore, his need for representation and, if in the Courts discretion, it assigns counsel trained in Civil Litigation to represent him, without tax, fee, or charge, that PER understands, if judgement be in his favor, court costs and attorney fees would be recovered.

Wherefore PER prays this Honorable Court grant his request as a poor person and does assign him counsel. Thank you. Respectfully submitted April 9, 2021.  
Earl B. Rice



## IN THE 23RD JUDICIAL CIRCUIT, JEFFERSON COUNTY, MISSOURI

Judge or Division: VICTOR JOSEPH MELENBRINK	Case Number: 21JE-CC00280	(Date File Stamp)
Plaintiff/Petitioner: EARL G RICE JR	Plaintiff's/Petitioner's Attorney/Address EARL G RICE JR 225 E. 3RD ST WATERLOO, IL 62298	
Defendant/Respondent: UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL.	Court Address: P O BOX 100 300 MAIN ST HILLSBORO, MO 63050	
Nature of Suit: CC Other Miscellaneous Actions		

## Summons in Civil Case

The State of Missouri to: JEFFERSON COUNTY SHERIFFS DEPT

Alias:

400 1ST STREET  
HILLSBORO, MO 63050

COURT SEAL OF



JEFFERSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

APRIL 21, 2021

MICHAEL E. REUTER, CIRCUIT CLERK  
BY: /s/ J. HONEA, DEPUTY CLERK

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_.

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_  
Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_


A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 23RD JUDICIAL CIRCUIT, JEFFERSON COUNTY, MISSOURI

Judge or Division: VICTOR JOSEPH MELENBRINK	Case Number: 21JE-CC00280	(Date File Stamp)
Plaintiff/Petitioner: EARL G RICE JR	Plaintiff's/Petitioner's Attorney/Address EARL G RICE JR 225 E. 3RD ST WATERLOO, IL 62298	
Defendant/Respondent: UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL.	Court Address: P O BOX 100 300 MAIN ST HILLSBORO, MO 63050	
Nature of Suit: CC Other Miscellaneous Actions		

## Summons in Civil Case

<b>The State of Missouri to: JEFFERSON COUNTY PROSECUTING ATTORNEY</b> <b>Alias:</b> 300 MAIN STREET HILLSBORO, MO 63050 <b>COURT SEAL OF</b>  <b>JEFFERSON COUNTY</b>	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.  APRIL 21, 2021  MICHAEL E. REUTER, CIRCUIT CLERK BY: /s/ J. HONEA, DEPUTY CLERK
---	--

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
 in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_  
 Date

Notary Public

## Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ ( _____ miles @ \$. _____ per mile)
<b>Total</b>	<b>\$ _____</b>

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.





## IN THE 23RD JUDICIAL CIRCUIT, JEFFERSON COUNTY, MISSOURI

Judge or Division: VICTOR JOSEPH MELENBRINK	Case Number: 21JE-CC00280	(Date File Stamp)
Plaintiff/Petitioner: EARL G RICE JR	Plaintiff's/Petitioner's Attorney/Address EARL G RICE JR 225 E. 3RD ST WATERLOO, IL 62298	
Defendant/Respondent: UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL.	Court Address: P O BOX 100 300 MAIN ST HILLSBORO, MO 63050	
Nature of Suit: CC Other Miscellaneous Actions		

## Summons in Civil Case

The State of Missouri to: JEFFERSON COUNTY MISSOURI

Alias:

729 MAPLE STREET  
HILLSBORO, MO 63050

COURT SEAL OF



JEFFERSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

APRIL 21, 2021

MICHAEL E. REUTER, CIRCUIT CLERK  
BY: /s/ J. HONEA, DEPUTY CLERK

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_  
Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

NOTICE OF ENTRY  
(SUPREME COURT RULE 74.03)

In The 23rd Judicial Circuit Court, Jefferson County, Missouri  
P O BOX 100, 300 MAIN ST, HILLSBORO, MISSOURI 63050

EARL RICE V UNITED STATES BUREAU OF ALCOHOL ET AL

CASE NO : 21JE-CC00280

To: File

YOU ARE HEREBY NOTIFIED that the court duly entered the following:

<u>Filing Date</u>	<u>Description</u>
21-Apr-2021	Ord Allow In Forma Pauperis SO ORDERED: BRENDA STACEY, CIRCUIT JUDGE DIV. FOUR, PRESIDING JUDGE

---

Clerk of Court

CC: File

ECC:

Date Printed : 21-Apr-2021

**SHERIFF'S RETURN**

IN THE 23RD JUDICIAL CIRCUIT, JEFFERSON COUNTY, MISSOURI

Judge or Division: VICTOR JOSEPH MELENBRINK	Case Number: 21JE-CC00280
Plaintiff/Petitioner: EARL G RICE JR	Plaintiff's/Petitioner's Attorney/Address EARL G RICE JR 225 E. 3RD ST WATERLOO, IL 62298
Defendant/Respondent: UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL.	Court Address: P O BOX 100 300 MAIN ST HILLSBORO, MO 63050
Nature of Suit: CC Other Miscellaneous Actions	

DAVID L. MARSH, Sheriff  
Jefferson County, MO  
APR 22 2021  
**RECEIVED**  
(Date File Stamp)

APR 27 2021  
MICHAEL E. REUTER  
CIRCUIT CLERK

**Summons in Civil Case**

The State of Missouri to: JEFFERSON COUNTY PROSECUTING ATTORNEY  
Alias:

300 MAIN STREET  
HILLSBORO, MO 63050

COURT SEAL OF  
  
JEFFERSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

APRIL 21, 2021

MICHAEL E. REUTER, CIRCUIT CLERK  
BY: /s/ J. HONEA, DEPUTY CLERK

**Sheriff's or Server's Return****Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.☒ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with Lindsay Whalen, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).☐ other: \_\_\_\_\_Served at 300 Main St. (address)  
in Jefferson (County/City of St. Louis), MO, on 4.22.21 (date) at 1720 (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

**Sheriff's Fees, if applicable**

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	\$ _____
Supplemental Surcharge	\$ <u>10.00</u>
Mileage	\$ _____ (_____ miles @ \$_____ per mile)
<b>Total</b>	\$ _____

*informa pauperis*

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

**SHERIFF'S RETURN****IN THE 23RD JUDICIAL CIRCUIT, JEFFERSON COUNTY, MISSOURI**

Judge or Division: VICTOR JOSEPH MELENBRINK	Case Number: 21JE-CC00280
Plaintiff/Petitioner: EARL G RICE JR	Plaintiff's/Petitioner's Attorney/Address EARL G RICE JR 225 E. 3RD ST WATERLOO, IL 62298
Defendant/Respondent: UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL.	Court Address: P O BOX 100 300 MAIN ST HILLSBORO, MO 63050
Nature of Suit: CC Other Miscellaneous Actions	

DAVID L. MARSH,  
Sheriff, Jefferson County, MO

APR 22 2021

**RECEIVED**

(Date File Stamp)

**Summons in Civil Case**

FILED

APR 27 2021

MICHAEL E. REUTER  
CIRCUIT CLERKThe State of Missouri to: JEFFERSON COUNTY SHERIFFS DEPT  
Alias:400 1ST STREET  
HILLSBORO, MO 63050

COURT SEAL OF



JEFFERSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

APRIL 21, 2021

MICHAEL E. REUTER, CIRCUIT CLERK  
BY: /s/ J. HONEA, DEPUTY CLERK**Sheriff's or Server's Return****Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.☒ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with Patricia Laben, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).☐ other: \_\_\_\_\_Served at 729 Maple St (address)  
in Sobersaw (County/City of St. Louis), MO, on 4-22-21 (date) at 1730 (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

**Sheriff's Fees, if applicable**

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$_____ per mile)
Total	\$ _____

in forma pauperis

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

**SHERIFF'S RETURN**

IN THE 23RD JUDICIAL CIRCUIT, JEFFERSON COUNTY, MISSOURI

Judge or Division: VICTOR JOSEPH MELENBRINK	Case Number: 21JE-CC00280
Plaintiff/Petitioner: EARL G RICE JR	Plaintiff's/Petitioner's Attorney/Address EARL G RICE JR 225 E. 3RD ST WATERLOO, IL 62298
Defendant/Respondent: UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL.	Court Address: P O BOX 100 300 MAIN ST HILLSBORO, MO 63050
Nature of Suit: CC Other Miscellaneous Actions	

DAVID L. MARSHALL  
Sheriff, Jefferson County, MO

APR 22 2021

FILED RECEIVED  
APR 27 2021 (Date File Stamp)**Summons in Civil Case**

The State of Missouri to: JEFFERSON COUNTY MISSOURI Alias: 729 MAPLE STREET HILLSBORO, MO 63050 COURT SEAL OF  JEFFERSON COUNTY	<p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p>APRIL 21, 2021</p> <p>MICHAEL E. REUTER, CIRCUIT CLERK BY: /s/ J. HONEA, DEPUTY CLERK</p>
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**Sheriff's or Server's Return****Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.☒ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with Paige Laiben, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).☐ other: \_\_\_\_\_Served at 729 Maple (address)  
in Jefferson (County/City of St. Louis), MO, on 4.22.21 (date) at 1730 (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

**Sheriff's Fees, if applicable**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \_\_\_\_\_

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

informa paperis

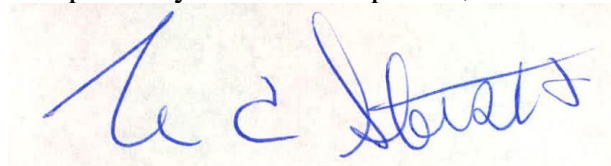
IN THE CIRCUIT COURT OF THE TWENTY-THIRD JUDICIAL CIRCUIT  
OF MISSOURI AT HILLSBORO, JEFFERSON COUNTY, MISSOURI

STATE OF MISSOURI, )  
Plaintiff, )  
vs. ) Cause No. 21JE-CC00280  
EARL GARNIER RICE JR., )  
Defendant. )

**FILING MEMORANDUM ASSIGNING**  
**ASSISTANT PROSECUTING ATTORNEY**

COMES NOW the State of Missouri, by and through Jefferson County Prosecuting Attorney Trisha C. Stefanski, and hereby advises the Court and the Circuit Clerk that Assistant Prosecuting Attorney **Jacob Costello**, MBE **54874**, has been assigned to represent the State of Missouri on behalf of the Office of the Jefferson County Prosecuting Attorney. The undersigned requests that all further e-filing notices in this matter be emailed to this assigned Assistant Prosecuting Attorney only.

Respectfully submitted April 29, 2021:



---

Trisha C. Stefanski #57598  
Prosecuting Attorney  
Jefferson County Courthouse  
300 Main Street  
P.O. Box 100  
Hillsboro, MO 63050  
(636) 797-5321

IN THE CIRCUIT COURT OF THE TWENTY-THIRD JUDICIAL CIRCUIT  
OF MISSOURI AT HILLSBORO, JEFFERSON COUNTY, MISSOURI

STATE OF MISSOURI,	)	
	)	
Plaintiff,	)	
vs.	)	Cause No. 21JE-CC00280
	)	
EARL GARNIER RICE JR.,	)	
	)	
Defendant.	)	

**MOTION TO WITHDRAW**

COMES NOW the State of Missouri, by and through Assistant Prosecuting Attorney, Jacob Costello, respectfully requests leave to withdraw from the above styled case.

Respectfully submitted this 3rd day  
of May, 2021, by:



---

Jacob Costello  
Assistant Prosecuting Attorney  
Mo Bar No. 5474  
Jefferson County Courthouse  
P.O. Box 100  
Hillsboro, Missouri 63050  
(636) 797-5321

IN THE CIRCUIT COURT OF THE TWENTY-THIRD JUDICIAL CIRCUIT  
OF MISSOURI AT HILLSBORO, JEFFERSON COUNTY, MISSOURI

~~STATE OF MISSOURI,~~

~~Plaintiff,~~

~~vs.~~

~~EARL GARNIER RICE JR.,~~

~~Defendant.~~

**EARL RICE V UNITED STATES BUREAU OF  
ALCOHOL ET AL**

Cause No. 21JE-CC00280

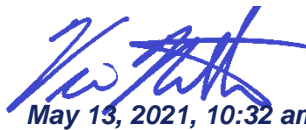
**MOTION TO WITHDRAW**

COMES NOW the State of Missouri, by and through Assistant Prosecuting Attorney, Jacob Costello, respectfully requests leave to withdraw from the above styled case.

Respectfully submitted this 3rd day  
of May, 2021, by:

Please file a substitution of counsel  
request so that the State of Missouri  
is not unrepresented in this matter.



  
May 13, 2021, 10:32 am **J5**

---

Jacob Costello  
Assistant Prosecuting Attorney  
Mo Bar No. 5474  
Jefferson County Courthouse  
P.O. Box 100  
Hillsboro, Missouri 63050  
(636) 797-5321



IN THE CIRCUIT COURT OF THE TWENTY THIRD JUDICIAL CIRCUIT  
OF MISSOURI AT HILLSBORO, JEFFERSON COUNTY MISSOURI

EARL G. RICE JR

VS

U.S. BUREAU OF ALCOHOL AND

) Case No. 21-JE-CC00280

) Div. No. 5

) Judge Melenbrink

**FILED**

MAY 19 2021

MICHAEL E. REUTER  
CIRCUIT CLERK

### MEMORANDUM

Comes now petitioner and does ask this Honorable Court to review the third section of his Consolidated Application, Motion, and Request, "Request Of The Court To Assign Counsel To Plaintiff As Pauper" Filed April 13, 2021, in this instant matter which states to wit:

And for PER's Request of the Court, as under RSMo 514.040, that if the Court understands the terrible circumstances he is currently experiencing, and the Court be satisfied he is now a poor person, imprisoned with no legal resources and cannot, with the nature of his civil action petitioned for, adequately argue this cause himself, therefore, his need for representation and, if in the Court's discretion, it assigns counsel trained in civil litigation to represent him, with out tax, fee, or charge, that PER understands if judgment be in his favor, court costs and attorneys fees would be recovered.

Wherefore PER prays this Honorable Court grant his request as a poor person and does assign him counsel.

Thank you,

Respectfully re-submitted May 14, 2021

Earl G. Rice JR

Earl G. Rice JR, Petitioner in Former Pauper's  
monroe co. jail  
225 E. 3rd Street  
Waterloo, IL 62298

Earl G. Rice SR  
Monroe Co. Jail  
225 E. 3rd Street  
Waterloo, IL 62298

Attn: Jessica Honea, Civil Dept.

Re: Address for BATFE and enclosed Memo

May  
Apr 14, 2021  
**FILED**  
MAY 19 2021  
MICHAEL E. REUTER  
CIRCUIT CLERK

Dear Ms. Honea,

I hope this letter finds you well. Because of problems I have with the management of this jail it took some doing to find the right guard who would look this address up, but what I was given is:

BATFE's Office in St. Louis  
1222 Spruce Street  
St. Louis, Mo. 63103

I did get Judge Stacey's Order to Allow me to proceed in Forma Pauperis, but I have yet to hear anything on my Request for Counsel, hence the enclosed Memorandum asking the assigned Div. 5 Judge Melenbrink to review my Request and, hopefully, assign counsel for me as per statute.

Please file my original memo, send a copy to Judge Melenbrink, and return a copy to myself at the above address.

I hope you didn't take offense at the way I worded the second part of my request to you when I sent back the first mailing you returned to me on April 14th. It did come through like I hoped, and Please know I really do appreciate all your help.

Thank You,

Earl G. Rice SR

Earl G. Rice SR, Petitioner in Forma Pauperis


P.S. Say Hello, and Thank You Again to Ms. Vickie Skaggs.



## IN THE 23RD JUDICIAL CIRCUIT, JEFFERSON COUNTY, MISSOURI

Judge or Division: VICTOR JOSEPH MELENBRINK	Case Number: 21JE-CC00280	(Date File Stamp)
Plaintiff/Petitioner: EARL G RICE JR	Plaintiff's/Petitioner's Attorney/Address EARL G RICE JR 225 E. 3RD ST WATERLOO, IL 62298	
Defendant/Respondent: UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL.	Court Address: P O BOX 100 300 MAIN ST HILLSBORO, MO 63050	
Nature of Suit: CC Other Miscellaneous Actions		

## Summons in Civil Case

<b>The State of Missouri to: UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPL.</b> <b>Alias:</b> 1222 SPRUCE ST SAINT LOUIS, MO 63103 <b>COURT SEAL OF</b>  <b>JEFFERSON COUNTY</b>		<b>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</b>  MAY 20, 2021 MICHAEL E. REUTER, CIRCUIT CLERK BY: /s/ J. HONEA, DEPUTY CLERK
---	--	---

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
 in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.